

III. REMARKS

1. Claims 1-19 are pending. Claims 1, 6, 11 and 17 are amended.
2. Claims 1, 2, 4-7, 9-12 and 14-19 are patentable under 35 U.S.C. 103(a) over Church (US 4764770) and Wu (U.S. Pub. No. 2006/0165465). Claim 1 recites that the bendable elastomeric keymat comprises elastic properties and is configured so that an entirety of the bendable elastomeric keymat bends to force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover and said indentations are located at edges of a recess for removably mounting said keymat. These features are not disclosed or suggested by the cited references.

The Examiner cites to Church as disclosing the above noted feature of claim 1. However, it appears that the Examiner is picking and choosing which parts of the reference to use while ignoring other parts of the reference. The Examiner is respectfully reminded that each reference must be considered as a whole including those parts that teach away from the combination of references being made (MPEP § 2141.02). In this case, Church discloses that the base sheet 21 (which appears to be the portion of the rubber keyboard asserted by the Examiner as being bendable in its entirety) overlies a printed circuit board 30. The base sheet 21 rests on and is secured to portions of the upper surface 31 of the printed circuit board 30. (Col. 3, L. 51-54). Therefore, if the base sheet 21 of Church rests on and is secured to the printed circuit board 30 "an entirety of the" base sheet 21 cannot "bend to force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover as recited in claim 1 because a printed circuit board is rigid and does not bend. Combining Wu with Church does not remedy the above-noted deficiency of Church.

It is noted that with respect to Wu the Examiner merely "cut and paste" the arguments made in the final office action dated 26 March 2008 into the present office action verbatim making it uncertain as to which features Wu is being cited for. It appears that

Wu is only being cited for the notion that Wu discloses tabs as evidenced by the Examiner's statement "it would have been obvious to one [of] ordinary skill in the art at the time [of] the invention was made to modify Church with the lips (tabs) of Wu in order to secure the keymat to the cover." Even if the tabs of Wu were combined with Church, the fact still remains that neither Church nor Wu appear to disclose a bendable elastomeric keymat comprises elastic properties and is configured so that an entirety of the bendable elastomeric keymat bends to force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover. As described above the base sheet 21 in Church is secured to a rigid circuit board and therefore is not bendable as claimed by Applicant. Wu does not disclose the above noted features of Applicant's claim 1 as admitted by the Examiner via the fact that Wu is now being cited as a secondary reference for disclosing flexible tabs 25 attached to a rigid key module 12 and nothing more.

It is further noted that the Examiner does not give any articulated reasoning as to why one would combine the references. In making the rejection, the Examiner merely recites nothing more than various portions of the specification in Church and Wu, making the Examiner's asserted combination of Church and Wu tantamount to a conclusory statement. The Examiner is respectfully reminded that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR*, 82 USPQ2d at 1396 quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (see also MPEP § 2143.01).

The assertion that "it would have been obvious to one [of] ordinary skill in the art at the time [of] the invention was made to modify Church with the lips (tabs) of Wu in order to secure the keymat to the cover" is specious at best, especially when the cited references, alone or in combination, do not disclose or suggest all of the features of claim 1. As described above, the base sheet 21 of Church rests on and is secured to a

rigid printed circuit board 30. Further, as described in Applicant's prior amendments, only the tabs 28 of the key module 12 in Wu are flexible and merely act as snaps for holding the key module 12 within the base module 11 (see Para. [0076]). As can clearly be seen in Fig. 3 of Wu the tabs 28 have a U-shaped cross section (Para. [0076]) where the U-Shaped cross section allows the tabs to snap into the groove 31 formed in the rim 27 of the base module 11. Combining Wu with Church would amount to nothing more than what is already disclosed in Wu (a rigid keyboard with flexible tabs around a portion of the perimeter of the rigid keyboard). For example, adding the U-shaped tabs 28 of Wu to the base sheet 21 in Church which is secured to the rigid circuit board 30 is the same as having the tabs 28 of Wu attached to the rigid key module 12 of Wu.

Therefore, claim 1 is patentable over the combination of Church and Wu as least because the combination of Church and Wu fails to disclose or suggest that the bendable elastomeric keymat comprises elastic properties and is configured so that an entirety of the bendable elastomeric keymat bends to force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover and said indentations are located at edges of a recess for removably mounting said keymat.

Further, claim 1 also recites that the cover includes a plurality of locking parts extending from the cover adjacent the indentations that, along with the elastic properties of the keymat, force the lips of the keymat into the indentations. Nowhere is this feature disclosed or suggested by the combination of Church and Wu.

Church only discloses a base sheet 21 that overlies and is secured to a printed circuit board 30 (Col. 3, L. 51-54). There is absolutely no disclosure in Church of "locking parts" "that along with the elastic properties of the keymat, force the lips of the keymat into the indentations" as recited in claim 1. Combining Church with Wu fails to remedy this defect of Church. For example, Wu only discloses in one embodiment flexible tabs

25 that snap into grooves 26 (Para. 0076) and in another embodiment hooks 825 that clinch the base module 811 at four corresponding vertical slots 826 formed at its corners (Para. 0092). There is absolutely no disclosure in Wu of "locking parts" "that along with the elastic properties of the keymat, force the lips of the keymat into the indentations" as recited in claim 1. Thus, claim 1 is patentable over the combination of Church and Wu for this additional reason.

The above arguments apply equally to claims 6, 11 and 17. Thus, claims 6, 11 and 17 are also patentable over the combination of Church and Wu. Claims 2, 4, 5, 7, 9, 10, 12, 14-16, 18 and 19 are patentable at least by reason of their respective dependencies.

3. Claims 3, 8, 13, 18 and 19 are patentable under 35 U.S.C. 103(a) over Church Wu, and Kfoury et al., U.S. Pub. No. 2003/0119543 ("Kfoury"). Claims 3, 8, 13, 18 and 19 depend from claims 1, 6, 11 and 17 which are patentable over Church and for the reasons described above. It is submitted that because the combination of Church and Wu does not disclose or suggest all the features of claims 1, 6, 11 and 17, that the combination of Church, Wu and Kfoury cannot as well. It is noted that Kfoury merely discloses a rigid input module 200 with rails 416, 418 that are received in grooves 412, 414 when the input module 200 is slid into the cavity 402 (Para. 0032). Thus, claims 3, 8, 13, 18 and 19 are patentable at least by reason of their respective dependencies.

Moreover, the combination of Church, Wu and Kfoury does not disclose or suggest that the guiding pieces are arranged in direct connection to one or more of said plurality of lips as recited in Applicant's claim 3. The Examiner acknowledges that the combination of Church and Wu does not disclose this feature. However, it is asserted in the Office Action that Kfoury discloses this feature in Figures 4 and 5 and at paragraphs [0032]-[0033].

Figures 4 and 5 and paragraphs [0032]-[0033] of Kfoury disclose exactly the same thing as Wu in that the input module (200) of Kfoury has left and right rails (418, 416)

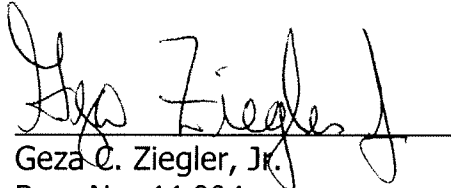
which engage groove (414) when the input module is inserted into the cavity (402). Wu discloses in Fig. 4 that the key module (112) has two opposite side edges (113) for sliding engagement with opposing guide rails (114) formed in an inward rim (115) of the bay (111). When the opposite side edges (113) and opposing guide rails (114) of Wu are compared with the left and right rails (418, 416) and groove (414) of Kfoury it is clear that these features are identical. In both Wu and Kfoury the rails and grooves allow for the rigid input module (200) of Kfoury and the rigid key module (112) of Wu to be slid into the respective keycap bay (111) and cavity (402) from a side of the device and nothing more. There is absolutely no disclosure whatsoever that the opposite side edges (113) and opposing guide rails (114) of Wu or the left and right rails (418, 416) and groove (414) of Kfoury "are arranged in direct connection to one or more of said plurality of lips" as recited in Applicant's claim 3.

Therefore, claim 3 is patentable over the combination of Wu, Hayes and Kfoury because their combination does not disclose or suggest that the guiding pieces are arranged in direct connection to one or more of said plurality of lips as recited in Applicant's claim 3. Claims 8 and 13 are patentable over the combination of Wu and Kfoury for reasons that are substantially similar to those described above with respect to claim 3.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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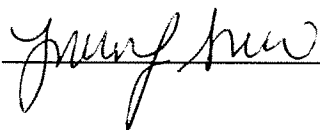
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